

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HELDER RAMIREZ,

Plaintiff,

v.

IDD CARS, LLC, *et. al.*,

Defendant.

No. 23-CV-5716 (KMK)

ORDER

KENNETH M. KARAS, United States District Judge:

The Parties are directed to provide supplemental briefing of no more than five pages each, detailing whether Plaintiff’s claim satisfies the amount in controversy requirement for purposes of the Manguson-Moss Warranty Act (“MMWA”). Specifically, the Court requests briefing as to whether Plaintiff may claim \$16,579.54—the total cost of the vehicle—where it is undisputed that that loss was mitigated by the ultimate repossession of the vehicle. Furthermore, Plaintiff is directed to provide briefing substantiating the \$15,000 recovery Plaintiff alleges under the NY GBL. Finally, the Parties are also directed to brief the Court about the applicability of NY GBL § 349, which the Plaintiff relies on to meet the jurisdictional requirement of the MMWA, but which caselaw suggests does not apply to “private contract disputes.” *Mohamed v. Nationstar Mortg., LLC*, No. 20-CV-0216, 2024 WL 4132351, at *9 (E.D.N.Y. Sept. 10, 2024). All Parties’ briefing is due no later than May 9, 2025.

SO ORDERED.

Dated: April 25, 2025
White Plains, New York

A handwritten signature in black ink, appearing to read 'K. Karas', with a horizontal line extending from the middle of the signature.

KENNETH M. KARAS

United States District Judge